

08/25/05

JC06 Rec'd PCT/PTO

23 AUG 2005



Attorney Docket No. 05174/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Express Mail Mailing Label

No.: EV 701 316 513 US

Date of Deposit: August 23, 2005

Applicant(s): E. TODA, ET AL

Serial No. : 10/529,821 (corresponding  
to PCT Application  
No. PCTJP03/13125)

Deposited : March 31, 2005

For : METHOD AND APPARATUS FOR  
CONTROLLING HYDRAULIC PUMP...

Customer No.: 01933

**SUBMISSION OF SIGNED DECLARATION  
AND ASSIGNMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Att: MAIL STOP PCT

S I R :

Responsive to the Patent Office Notice mailed August 18, 2005, the term for response to which expires on October 18, 2005, submitted herewith is a Declaration executed by the inventors, referring to the application by International Application Number and filing date.

Submitted herewith is a PTO-2038 form authorizing the charge of \$130.00.

Also attached hereto is an executed Assignment and PTO-1595 Form, along with a PTO-2038 form authorizing the charge of \$40.00 to cover the Assignment recordation fee.

Authorization is also given to charge any additional fees which may be required to Deposit Account No. 06-1378.

It is respectfully requested that prosecution on the merits now proceed.

Respectfully submitted,

08/30/2005 GFREY1 00000128 10529821

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130.00 OP

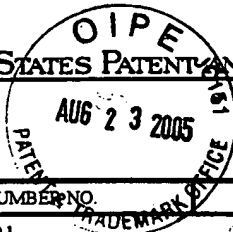
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Reg. No. 22,974

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LH:sp

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

SHARON PORTNOY

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card (Form PTO-2038 attached hereto), authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

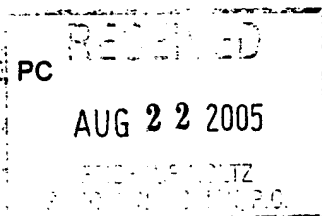

**UNITED STATES PATENT AND TRADEMARK OFFICE**


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U.S. APPLICATION NUMBER NO. 10/529,821	FIRST NAMED APPLICANT Eiji Toda	ATTY. DOCKET NO. 05174/LH
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01933

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INTERNATIONAL APPLICATION NO. PCT/JP03/13125	
LA. FILING DATE 10/14/2003	PRIORITY DATE 10/23/2002

CONFIRMATION NO. 7730

371 FORMALITIES LETTER

\*OC000000016784876\*

\*OC000000016784876\*

DECL  
 DUE 10/18/05

Date Mailed: 08/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/31/2005
- Copy of the International Search Report filed on 03/31/2005
- Information Disclosure Statements filed on 03/31/2005
- Request for Immediate Examination filed on 03/31/2005
- U.S. Basic National Fees filed on 03/31/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,**

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,821	PCT/JP03/13125	05174/LH

FORM PCT/DO/EO/905 (371 Formalities Notice)